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RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			CABECA, JOHN W	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/976,314	SAFADI, REEM	
	<b>Examiner</b>	<b>Art Unit</b>	
	O'Neal R Mistry	2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This application has been examined.

Claims 1-39 are presented for examination.

#### ***Claim Objections***

Claim 36 is objected to because of the following informalities: In line 6 of claim 39 states "said keys", the examiner suggests the claim should be changed to "said plurality of keys". Appropriate correction is required.

Claim 39 is objected to because of the following informalities: In line 5 of claim 39 states "signaled one", the examiner suggests the claim should be changed to "signal by one". Appropriate correction is required.

Claim 39 is objected to because of the following informalities: In line 6 of claim 39 states "which", the examiner suggests the claim should be changed to "the particular". Appropriate correction is required.

Claim 39 is objected to because of the following informalities: In line 2 of claim 39 states "said keys", the examiner suggests the claim should be changed to "said plurality of keys". Appropriate correction is required.

Claim 39 is objected to because of the following informalities: In lines 3 & 6 of claim 39 states "a user", the examiner suggests the claim should be changed to "the user", because it fails to give proper antecedence to the "user recited in claim 36. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopresti et al (U.S. Patent Number 5,889,506) in view of Goulden et al (U.S. Patent Number 5,956,025)

Lopresti teaches a video system that is controlled by a remote control device. The remote control device has a writing surface, which is used to take in command inputs from the user, and a plurality of buttons to control functions of a DVD player, VCR, television, or digital cable box. The cable box allows a user to check email, surf the internet, and allow to watched aired programs. In addition, Lopresti discloses a consumer device including a central processing unit having a memory for processing communication data (col. 2 lines 40-45), at least one application resident in the consumer device (col. 1 lines 18-23), a user interface device having at least one key for interfacing with the consumer device (col. 1 lines 57-62), a plurality of software and

application programming interface (API) routines resident in the memory of the consumer device (col. 2 line 10-14), wherein at least one of the plurality of software and API routines forwards a key code to the at least one application (col. 2 lines 15-19). The examiner asserts that Lopresti allows the user to use the remote control system to operate the cable box. The cable box has a variety of applications that may be utilized by the user, and allows the remote control to have all the functionality buttons within the device. One specific button on the remote control may change the functions depending on the type of program that is to be executed by the user. For example, if the user is watching TV, the user may type a 'X' on writing surface of the remote control device, which then turns off the TV, or if the user is operating the email system, the user may write a small note on the writing surface, which is displayed on the display apparatus, and sent with an email.

The difference between the claims and Lopresti is the claims recite "wherein the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user." Lopresti patent discloses a remote that has the ability to change functions of a button depending on the application being executed by the cable box (col. 6 lines 29-32), but does not teach a display on the remote control that changes icon depending on the application being used by the user. Goulden has a system similar with a screen display on the remote control.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden

discloses wherein the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user (col. 6 lines 5-10).

It would have been obvious to one of ordinary skill in the art, having the teaches of Lopresti and Goulden before him at the time the invention was made, to modify the remote control taught by Lopresti to include a display touch screen of Goulden in order to obtain a video system with a remapping icon button remote control.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 2, Lopresti in view of Goulden disclosed the plurality of software and API routines comprises a Versatile Remote Control Manager (VRCM) (col. 6 line 62- col. 7 line 5, '506).

In regards to claim 3, Lopresti in view of Goulden disclosed the consumer device comprises one of a set-top terminal, a satellite receiver, a television, and any other functionally similar device (col. 2 lines 24-27, '506).

In regards to claim 4, Lopresti in view of Goulden disclosed the set-top terminal is connected to a CATV communication system (col. 4 lines 15-19, '506).

In regards to claim 5, Lopresti in view of Goulden disclosed the user interface device comprises one of a versatile remote control unit (VRC), a remote controller, a web-pad, a Personal Digital Assistant, and a hand-held device with a touch pad screen (col. 2 lines 31-38 & col. 7 lines 45-50, '506).

In regards to claim 6, Lopresti fails to teach, "the versatile remote control unit includes a display for displaying at least one soft key generated by the VRCM for programming of the application using the VRCM". However, Goulden discloses the versatile remote control unit includes a display for displaying at least one soft key generated by the VRCM for programming of the application using the VRCM (col. 6 lines 5-10, '025).

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control writing surface taught by Lopresti to include the touch screen display, that acts has soft keys for remote functions of Goulden, in order to obtain a remote control with soft key display.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught Goulden.

In regards to claim 7, Lopresti in view of Goulden disclosed the at least one soft key displays an application type to allow the VRCM to recognize that subsequent soft key selections correspond to the at least one application selected by the user (col. 5 lines 25-35 & Figures 4-5, '025).

In regards to claim 8, Lopresti in view of Goulden disclosed the VRCM causes the display to show the mapping for the corresponding key code function associated with the at least one application (col. 5 lines 31-35, '025).

In regards to claim 9, Lopresti in view of Goulden disclosed the display displays a plurality of icons, one of the plurality of icons being associated with the at least one application (Figure 4 & 5, '025). After review the Figures, the examiner asserts that has the user changes the mode of operation between the TV, VCR, or CD player, the display on the remote control changes as well to display the correct functions buttons. Each button on the display is considered to be an icon associated with the application.

In regards to claim 10, Lopresti teaches a video system that is controlled by a remote control device. The remote control device has a writing surface, which is used to take in command inputs from the user, and a plurality of buttons to control functions of a DVD player, VCR, television, or digital cable box. The cable box allows a user to check email, surf the internet, and allow to watched aired programs. In addition, Lopresti discloses providing at least one application resident in a consumer device (col. 1 lines 18-23, '506), providing a plurality of software and application programming interface (API) routines resident in the consumer device (col. 2 lines 15-19, '506), sending control signals to the consumer device using a user interface device (col. 2 lines 1-5, '506), whereby at least one of the plurality of software and API routines forwards a key code to the at least one application (col. 2 lines 10-14, '506). The examiner asserts that Lopresti allows the user to use the remote control system to operate the cable box. The cable box has a variety of applications that may be utilized by the user, and allows the remote control to have all the functionality buttons with in the device. One specific button on the remote control may change the functions depending on the type of program that is be executed by the user. For example, if the user is watching TV, the user may type a 'X'



on writing surface of the remote control device, which then turns off the TV, or if the user is operating the email system, the user may write a small note on the writing surface, which is display on the display apparatus, and sent with an email.

The difference between the claims and Lopresti is the claims recite "whereby the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user." Lopresti patent discloses a remote that has the ability to change functions of a button depending on the application being executed by the cable box, but does not teach a display on the remote control that changes icon depending on the application being used by the user. Goulden has a system similar with a screen display on the remote control.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden discloses wherein the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user (col. 6 lines 5-10).

It would have been obvious to one of ordinary skill in the art, having the teaches of Lopresti and Goulden before him at the time the invention was made, to modify the remote control taught by Lopresti to include a display touch screen of Goulden in order to obtain a video system with a remapping icon button remote control.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 11, Lopresti in view of Goulden disclosed the plurality of software and API routines comprise a Versatile Remote Control Manager (VRCM) (col. 2 line 62- col. 7 lines 5, '506).

In regards to claim 12, Lopresti fails to teach, " the step of using the VRCM to download and display a graphical representation of the at least one soft key on a display device". However, Goulden discloses the step of using the VRCM to download and display a graphical representation of the at least one soft key on a display device (col. 6 lines 5-10 & col. 2 lines 60-67, '025).

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control writing surface taught by Lopresti to include the touch screen display and the ability to download buttons, that acts has soft keys for remote functions of Goulden, in order to obtain a remote control with soft key display.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54).

In regards to claim 13, Lopresti in view of Goulden disclosed the step of displaying an icon on the display device that enables the VRCM to recognize that subsequent soft key selections by the user correspond to the at least one application (col. 5 lines 25-35, '025).

In regards to claim 14, Lopresti in view of Goulden disclosed the step of displaying a mapping for each key, or sequence of keys, and the corresponding key code function associated with the at least one application (Figure 2, Figures 3 & 4, '025). After reviewing the figures, the examiner asserts that in Figure 2, is hierarchical layout of the GUI of the remote control. The highest view allows the user to view all applications, and common buttons on the remote control for the entertainment system. Figures 3 & 4, show when the user started to work his way out the hierarchical class, meaning say the user is decides to listen to CD, and press the button the CD soft key of remote control. The user has gone down a level which display all the soft keys that relate the CD player. The examiner asserts that key code functions are the specific buttons that relate to only a specific entertainment element.

In regards to claim 15, Lopresti in view of Goulden disclosed the display device displays a plurality of icons, one of the plurality of icons being associated with the at least one application (Figure 4 items 802 & 202, '025).

In regards to claim 16, Lopresti fails to teach the VRCM interprets a key pressed by the user when no applications have registered with the VRCM. This is regarding a power button for the remote control. However, Goulden discloses the VRCM interprets a key pressed by the user when no applications have registered with the VRCM. This is regarding a power button for the remote control (col. 4 lines 47-54, '025). The examiner asserts that the remote control has a scroll button on display, which is not related to any applications.

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control writing surface taught by Lopresti to include the touch screen display and the ability to touch a button not related to an application, that acts as soft keys for remote functions of Goulden, in order to obtain a remote control with soft key display, and additional soft key display not relating to applications.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54).

In regards to claim 17, Lopresti in view of Goulden disclosed the step of connecting the set-top terminal to a CATV communication system (col. 2 lines 24-27, '506).

In regards to claim 18, Lopresti teaches a video system that is controlled by a remote control device. The remote control device has a writing surface, which is used to take in command inputs from the user, and a plurality of buttons to control functions of a DVD player, VCR, television, or digital cable box. The cable box allows a user to check email, surf the internet, and allow to watched aired programs. In addition, Lopresti discloses a set-top terminal including a central processing unit for and memory for processing and storing communication data (col. 2 lines 39-44, '506), at least one application resident in the memory of the set-top terminal (col. 1 lines 18-23, '506), a versatile remote control unit having at least one key for sending control signals to the set-top terminal (col. 1 lines 57-62, '506), a Versatile Remote Control Manager (VRCM) resident in the memory of the set-top terminal (col. 3 line 64-col. 4 lines 3, '506),

wherein the VRCM forwards a key code to the at least one application (col. 2 lines 15-19). The examiner interprets that Lopresti allows the user to use the remote control system to operate the cable box. The cable box has a variety of applications that may be utilized by the user, and allows the remote control to have all the functionality buttons with in the device. One specific button on the remote control may change the functions depending on the type of program that is be executed by the user. For example, if the user is watching TV, the user may type a 'X' on writing surface of the remote control device, which then turns off the TV, or if the user is operating the email system, the user may write a small note on the writing surface, which is display on the display apparatus, and sent with an email.

The difference between the claims and Lopresti is the claims recite "wherein the at least one application remaps a corresponding key code function for the at least one key or a sequence of keys when the at least one key is selected on the versatile remote control unit by a user." Lopresti patent discloses a remote that has the ability to change functions of a button depending on the application being executed by the cable box, but does not teach a display on the remote control that changes icon depending on the application being used by the user. Goulden has a system similar with a screen display on the remote control.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden discloses wherein the at least one application remaps a corresponding key code

function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user (col. 6 lines 5-10).

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control taught by Lopresti to include a display touch screen of Goulden in order to obtain a video system with a remapping icon button remote control.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 19, Lopresti in view of Goulden disclosed the versatile remote control unit includes a display for displaying at least one soft key generated by the VRCM (col. 5 lines 20-24, '506).

In regards to claim 20, Lopresti in view of Goulden disclosed the at least one soft key displays an application type to allow the VRCM to recognize that subsequent soft key selections correspond to the at least one application selected by the user (col. 6 lines 5-10, '025).

In regards to claims 21 & 22, Lopresti in view of Goulden disclosed the VRCM causes the display to show the mapping for the corresponding key code function associated with the at least one application, and the versatile remote control unit displays a plurality of icons, one of the plurality of icons being associated with the at least one application. (col. 5 lines 25-35, Figures 4, 5, & 6). After reviewing the prior art, the examiner interprets that when the user is operating a remote control on the highest

hierarchy view that the display on the remote control allows the user to choose what entertainment application keys to present by pressing on the touch screen display. For example, if the user is pressing the CD player entertainment application on the remote control, all the keys that correspond to CD player are displayed, and the system moves down a level on the hierarchy display layout. The keys are display on the remote control as soft key icons, and user may press the play, fast-forward, or rewind button.

In regards to claim 23, Lopresti in view of Goulden disclosed the set-top terminal is connected to a CATV communication system (col. 2 lines 24-27, '506).

In regards to claim 24, Lopresti teaches a video system that is controlled by a remote control device. The remote control device has a writing surface, which is used to take in command inputs from the user, and a plurality of buttons to control functions of a DVD player, VCR, television, or digital cable box. The cable box allows a user to check email, surf the internet, and allow to watched aired programs. In addition, Lopresti discloses a set-top terminal including a central processing unit and memory for processing and storing communication data, the set-top terminal connected to a CATV communication system (col. 2 lines 39-45), a display device operatively coupled to the set-top terminal (col. 2 line 24-26, '506), at least one application resident memory of the set-top terminal (col. 1 lines 18-23, '506), a versatile remote control unit having at least one key for sending control signals to the set-top terminal to invoke the at least one application of the set-top terminal (col. 2 lines 1-6, '506), a plurality of software and application programming interface (API) routines resident in memory of the set-top terminal (col. 2 lines 15-19), wherein at least one of the plurality of software and API

routines interact with the at least one application by forwarding a key code for the at least one application (col. 2 lines 10-14, '506). The examiner interprets that Lopresti allows the user to use the remote control system to operate the cable box. The cable box has a variety of applications that may be utilized by the user, and allows the remote control to have all the functionality buttons within the device. One specific button on the remote control may change the functions depending on the type of program that is being executed by the user. For example, if the user is watching TV, the user may type a 'X' on writing surface of the remote control device, which then turns off the TV, or if the user is operating the email system, the user may write a small note on the writing surface, which is displayed on the display apparatus, and sent with an email.

The difference between the claims and Lopresti is the claims recite "wherein the at least one application remaps a corresponding key code function for the at least one key or a sequence of keys on the versatile remote control unit when the at least one key on the versatile remote control unit is selected by a user." Lopresti patent discloses a remote that has the ability to change functions of a button depending on the application being executed by the cable box, but does not teach a display on the remote control that changes icon depending on the application being used by the user. Goulden has a system similar with a screen display on the remote control.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden discloses wherein the at least one application remaps a corresponding key code function for the at least one key or a sequence of keys on the versatile remote control



unit when the at least one key on the versatile remote control unit is selected by a user (col. 6 lines 5-10).

It would have been obvious to one of ordinary skill in the art, having the teaches of Lopresti and Goulden before him at the time the invention was made, to modify the remote control taught by Lopresti to include a display touch screen of Goulden in order to obtain a video system with a remapping icon button remote control.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 25, Lopresti in view of Goulden disclosed the plurality of software and API routines comprises a Versatile Remote Control Manager (VRCM) (col. 6 line 62 – col. 7 line 5, '506).

In regards to claim 26, Lopresti teaches a video system that is controlled by a remote control device. The remote control device has a writing surface, which is used to take in command inputs from the user, and a plurality of buttons to control functions of a DVD player, VCR, television, or digital cable box. The cable box allows a user to check email, surf the internet, and allows to watched aired programs. In addition, Lopresti disclosed a device including memory and a central processing unit (col. 2 line 39-45, '506), a plurality of applications stored in the memory of the device for execution by the central processing unit (col. 2 line 42-52, '506), a remote control unit for wireless communicating with the device to control the device, wherein the remote control unit comprises a plurality of keys, each of which send a particular command to

the device when actuated (Figure 2, '506), wherein the system allows a user to select one of the plurality of applications (col. 2 line 1-6, '506). The examiner interprets that Lopresti allows the user to use the remote control system to operate the cable box. The cable box has a variety of application that may be utilized by the user, and allows the remote control to have all the functionality buttons with in the device. One specific button on the remote control may change the functions depending on the type of program that is be executed by the user. For example, if the user is watching TV, the user may type a 'X' on writing surface of the remote control device, which then turns off the TV, or if the user is operating the email system, the user may write a small note on the writing surface, which is display on the display apparatus, and sent with an email.

The difference between the claims and Lopresti is the claims recite "wherein the commands signaled using the plurality of keys are changed based on which of the plurality of applications is selected." Lopresti patent discloses a remote that has the ability to change functions of a button depending on the application being executed by the cable box, but does not teach a display on the remote control that changes keys depending on the application being used by the user. Goulden has a system similar with a screen display on the remote control.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden wherein the commands signaled using the plurality of keys are changed based on which of the plurality of applications is selected (col. 6 lines 5-10).

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control taught by Lopresti to include a display touch screen of Goulden in order to obtain a video system with a remapping icon button remote control.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 27, Lopresti in view of Goulden disclosed the remote control unit further comprises a touch-sensitive screen and the plurality of keys include one or more soft keys displayed on the touch-sensitive screen (col. 6 lines 5-10, '025).

In regards to claim 28, Lopresti in view of Goulden disclosed the device comprises a set-top terminal (col. 2 line 27-35, '506).

In regards to claim 29, Lopresti in view of Goulden disclosed the device comprises a television (col. 2 line 24-26, '506).

In regards to claim 30, Lopresti in view of Goulden disclosed a connection for receiving an incoming signal, wherein the incoming signal includes a Universal Resource Locator (URL), and wherein the central processing unit is programmed to acquire a file addressed by the URL (col. 10 line 55-61, '506). The examiner interprets that if the user is has the ability to use the Internet, it is inherent that the system must use a URL to actively display the page on the display apparatus.

In regards to claim 31, Lopresti in view of Goulden disclosed the system stores the file for subsequent display to a user (col. 10 line 59-61, '506).

In regards to claim 32, Lopresti in view of Goulden disclosed the system acquires files specified by URL's from the incoming signal based on input user parameters to an agent application executed by the central processing unit (col. 10 line 62-67, '506).

In regards to claim 33, Lopresti in view of Goulden disclosed the user selects one of the plurality of applications using icons displayed on a display of the remote control unit, each icon representing a particular application (Figure 4, '025).

In regards to claim 34, Lopresti in view of Goulden disclosed the user selects one of the plurality of applications using icons displayed on a television of the video system, each icon representing a particular application (Figures 12 & 16, '506).

In regards to claim 35, Lopresti in view of Goulden disclosed the device transmits data to the remote control unit for displaying one or more soft keys, each with an associated function, wherein the soft keys displayed are determined by which of the plurality of applications is selected (Figure 5 & 6, '025).

In regard's to claim 36, Lopresti teaches a video system that is controlled by a remote control device. In addition, Lopresti discloses a video system with a user interface including a remote control unit, the system comprising: a device controlled using the remote control unit (col. 3 lines 62 -67), a display associated with the device (col. 7 lines 56-67); and the remote control unit comprising a plurality of keys (col. 1 lines 56-65).

The difference between the claims and Lopresti is the claims recite "wherein a function signaled by one or more of the keys on the remote control device can be

selected and programmed by a user by selecting that function from a menu displayed on the display device”.

Goulden teaches a system that allows the user to operate a remote control device to control a TV, DVD player, CD player, or cable box. In addition, Goulden discloses wherein a function signaled by one or more of the keys on the remote control device can be selected and programmed by a user by selecting that function from a menu displayed on the display device (col. 1 lines 30-36).

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the programming of keys on a remote control taught by Lopresti to include the a main menu for allowing the user to program keys of Goulden, in order to obtain a system that allows a user program function keys on the remote control via display a menu.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54), as taught by Goulden.

In regards to claim 37, Lopresti in view of Goulden discloses the device comprises a television and the display associated with the device comprises a screen of the television (col. 2 lines 24-27, '506).

In regards to claim 38, Lopresti in view of Goulden discloses the device comprises a set-top terminal and the display associated with the device comprises a television (col. 3 lines 58-63 & Figure 1 item 20, '506).

In regards to claim 39, Lopresti states a video system that is control by a remote control device. The remote control is a handheld, that allows the user implement a variety of functions. In addition, Lopresti discloses the device is configured to execute any of a plurality of applications (col. 7 lines 37-45), a user can select a particular application from the plurality of applications using the remote control unit (col. 4 lines 49-55).

The difference between the claims and Lopresti is the claims recite "functions signaled one or more of the keys of the remote control unit are changed depending on which application a user has selected".

Goulden teaches a video system that is operated by a touch-screen remote control device similar to that of Lopresti. In addition, Goulden further teaches functions signaled one or more of the keys of the remote control unit are changed depending on which application a user has selected (Figure 4 & 5). The examiner asserts after reviewing the Figures 4 & 5, the user may select an application on the touch screen. When an application is selected, the keys on the GUI change accordingly to the application. For example if the user selects TV, all the button regarding the TV are displayed, and if the user selects DVD, all the buttons regarding the DVD are display on the touch screen.

It would have been obvious to one of ordinary skill in the art, having the teachings of Lopresti and Goulden before him at the time the invention was made, to modify the remote control keys taught by Lopresti to include the touch screen display,

that acts has soft keys so the key functions may change of Goulden, in order to obtain a remote control with changing keys accordingly to application selection.

One would have been motivated to make such a combination because a more user friendly GUI for control home theater system (col. 1 lines 52-54).

### ***Response to Arguments***

In response to objections to drawings, the examiner drops the objection made on labeling the drawings.

Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

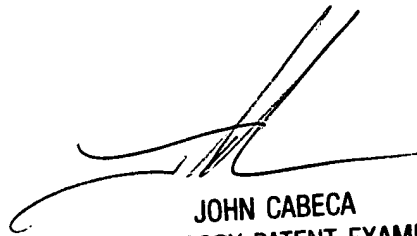
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (571) 272-4052. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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